

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office FEB 01 2000

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 01 2000

The applicant **Denny Land & Cattle Co., LLC**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **underground**
2. The amount of water applied for is **0.0093 cfs** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **stockwatering purposes**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered **300 head of cattle**
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **within the NE¼ NW¼ of Section 16, T.46N., R.28E., MDB&M or at a point from which the NW corner of said Section 16 bears N 79° 38' W a distance of 2,620.0 feet**
6. Place of Use **NE¼ NW¼ of Section 16, T.46N., R.28E., MDB&M**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **drilled well, pump, pipeline, and stock trough**
9. Estimated cost of works **in excess of \$2,000**
10. Estimated time required to construct works **1 year**
11. Estimated time required to complete the application of water to beneficial use **2 years**
12. Remarks: **Applicant wishes to be able to drill this well immediately. Due to the wildfires this summer, an emergency situation exists concerning the availability of stock water on the applicant's grazing allotment.**

Desert Mountain Surveying as agent
By John H. Milton III, PLS, SWRS.
By s/John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared my/cmf a g/ _____

Protested 4-18-00 by BLM;

Pro. Overruled 2-26-04 See Rulling #5329

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0093 cubic feet per second, or sufficient to water 300 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

September 22, 2005

Proof of completion of work shall be filed on or before:

October 22, 2005

Water must be placed to beneficial use on or before:

September 22, 2007

Proof of the application of water to beneficial use shall be filed on or before:

October 22, 2007

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 22nd day of September, A.D. 2004



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____